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Attn: Representative Casey , Chair, House Municipal Government and Housing Committee and Committee Members

### **Comment on H 5968**

An Act Relating to State Affairs and Government- Farmland Preservation Act  
Before the House Municipal Government and Housing Committee

March 10, 2025

Rhode Island Farm Bureau Federation is an independent, non-governmental grassroots organization made up of farmers and others with agricultural interests. Today our 1000 plus RIFB members are not only large farmers and small farmers but also include those engaged in agricultural industries, teachers of agriculture, and consumers.

We would like to thank Representative Lima for addressing impact fees farms may face when utilities are extended past their properties. While we appreciate that the legislation would exempt Rhode Island farms from charges for utility extension past their property, and that the agricultural operation may tie into any water utility extension made past that property at no cost of tie-in and no cost for the infrastructure improvement, we find some of the requirements for agricultural exemption to include standards Rhode Island farms are not required to comply with. The Rhode Island Farm Bureau does not support H 5968 as written.

In 42-82-16(b), this legislation exempts agricultural operation as defined in § 2-23-4 which is the Right to Farm Act, or agricultural land as defined in § 42-82-2(1), which is the Farmland Preservation Act. However, in 42-82-16(b)(1) this legislation also states : Agricultural operations and agricultural land eligible for the protections of the exemptions in section (b) of this section, shall be listed as of July 1, 2025 on the division of agriculture's list of agricultural operations pursuant to § 2-23.1-3 (requiring the property to be a Level II farm using the tax-based definition of \$10K in income or more) and shall be in compliance with the provisions of § 44-27-3 (The Farm, Forest, and Open Space Act). Both requirements in 42-82-16(b)(1) are completely optional, and in no way determine what it is a farm. No farm is required to acquire a Farm Tax Exempt Certificate, nor are they required to participate in the Farm, Forest, and Open Space Program.

Rhode Island Farm Bureau feels that the requirements in 42-82-16(b)(1) could have the unintended consequence of failing to exempt a number of Rhode Island farms and therefore request the language be deleted or amended. In an industry where farmers already operate on thin margins, the assessment of excess fees could put a farm out of business. If we can be of any assistance with this legislation, please don't hesitate to contact us.

The Rhode Island Farm Bureau opposes **H 5968** as written.

Henry B. Wright III  
President, RI Farm Bureau